

PLANNING COMMITTEE

Wednesday, 11 December 2019

Present: Councillor Barry Noakes (Chairman)
Councillors Bland (Vice-Chairman), Atwood, Backhouse, Mrs Cobbold, Podbury,
Poile, Pound and Warne

Officers in Attendance: Peter Hockney (Development Manager), Antonia James (Principal Planning Officer), Jeff Mashburn (Tree Officer), Charlotte Oben (Planning Officer), David Scully (Landscape and Biodiversity Officer) and Emer Moran (Democratic Services Officer)

Other Members in Attendance: Councillors

CHAIRMAN'S INTRODUCTION

PLA98/19 The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES

PLA99/19 Apologies were given from Councillor Mrs Thomas

DECLARATIONS OF INTEREST

PLA100/19 Councillor McDermott declared an interest in item 7A on the agenda: 19/01099/OUT – OS Plot 2912, Maidstone Road, Matfield, and withdrew from the meeting while this application was heard.

DECLARATIONS OF LOBBYING (IN ACCORDANCE WITH THE PROTOCOL FOR MEMBERS TAKING PART IN THE PLANNING PROCESS, PART 5, SECTION 5.11, PARAGRAPH 6.6)

PLA101/19 Councillor Podbury declared that she had been lobbied by objectors on item 7A on the agenda - 19/01099/OUT – OS Plot 2912, Maidstone Road, Matfield.

Councillors Noakes (Chairman), Bland (Vice-Chairman), Atwood, Backhouse, Mrs Cobbold, Podbury, Poile, Pound and Warne declared they had been lobbied by objectors on item 7B on the agenda – 19/02384/FULL – 1 Hollyshaw Close, RTW.

Councillor Poile declared that he had been lobbied by objectors on item 7E on the agenda – 0025/2019/TPO – Court House, Broom Park, Langton Green.

SITE INSPECTIONS

PLA102/19 Members of the Committee had the opportunity to visit the site of applications:

- 19/01099/OUT – OS Plot 2912, Maidstone Road, Matfield.
- 19/02384/FULL – 1 Hollyshaw Close, RTW.

- 0025/2019/TPO – Court House, Broom Park, Langton Green.

TO APPROVE THE MINUTES OF THE MEETING DATED 20 NOVEMBER 2019

PLA103/19 **RESOLVED**

That the minutes of the meeting dated 20 November 2019, be approved.

REPORTS OF HEAD OF PLANNING SERVICES

PLA104/19 The Chairman confirmed the order of the business for the evening was:

- 7A – 19/01099/OUT – OS Plot 2912, Maidstone Road, Matfield.
- 7B – 19/02384/FULL – 1 Hollyshaw Close, RTW.
- 7E – 0025/2019/TPO – Court House, Broom Park, Langton Green.
- 7C – 19/02964/FULL – 4 Sussex Mews, RTW
- 7D – 19/03037/LBC – War Memorial, Mount Pleasant Road, RTW

APPLICATION FOR CONSIDERATION - 19/01099/OUT - OS PLOT 2912, MAIDSTONE ROAD, MATFIELD

PLA105/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/01099/OUT and this was summarised at the meeting by Ms James, Principal Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – Since publication of the agenda report, the presenting officer updated as follows:

- Condition 5 to read: Notwithstanding the details hereby approved, details of off-site works to include reduction of the radii at the junction of Maidstone Road/Brenchley Road/Chestnut Lane; provision of suitable parking controls at the junction; relocation of the speed limit; improvements to footways and crossing points; and, improvements to the north bound bus stop to include raised bus boarding kerbs, shall be submitted to and approved in writing by the Local Planning Authority and implemented in full prior to first occupation of any dwelling.

Registered Speakers - There were 5 speakers who had registered and who spoke in accordance with the Council's Constitution (Planning

Committee procedure rules):

Public objectors

- Ms Karen Stevenson, a neighbour
- Mr Jon Hayes, a neighbour
- Mr David Wright, a neighbour

Public supporters

- Mr David Bedford, on behalf of the applicants

Borough or ward members (not Committee members)

- Councillor Christopher Woodley, Brenchley and Matfield Parish Council also objected

Matters of Clarification by Officers and Committee Members' Questions to Officers – Following comments and questions raised from speakers and Members; officers confirmed the following:

- i. That the harm caused by the development to the High Weald Area of Outstanding Natural Beauty (AONB), the character of the area and the setting of listed buildings had been considered and acknowledged. However, the public benefits of the scheme were considered to outweigh this harm with particular reference made to the 40 percent affordable housing element which exceeds the local plan policy.
- ii. The Section 106 funding to be secured would be used at local schools, GP surgeries and recreational spaces and not further afield as was suggested by guest speakers.
- iii. A planning condition has been recommended regarding external lighting which means it can be controlled prior to installation, and thereafter to ensure it is appropriate for rural setting.
- iv. Clarification provided that the outline application provided details of the access only, with all other matters reserved (i.e. that would be considered under a separate Reserved Matters application) and that the Kent Highways officer has not raised any objections on highway safety grounds.
- v. Conditions and the recommended legal agreement secure various elements (e.g. the percentage of affordable housing). Any proposed future variation to these key elements which the Council had taken into account in the consideration of this application would require a future planning application that would be highly likely to come before the Planning Committee.

Committee Member Debate: Members of the Committee took account of the presentations made and raised a number of questions and issues within their discussions. These included:

- i. With reference to the Localism Act, concern was raised as to whether the comments of the Parish Council were given enough weight in light of the opposition shown towards this

- application.
- ii. The sensitivities surrounding the application relating to AONB and the rural character of the area.
 - iii. That the application was too vague and not enough information was known about the type of buildings that were proposed.
 - iv. Concern that the application does not meet paragraph eight of the National Policy Framework nor the three dimensions of sustainable development i.e. social, economic and environmental.

Decision/voting - On the basis that members were satisfied that all relevant planning considerations had been covered within the report and the debate, a motion was proposed by Councillor Pound, seconded by Councillor Warne to refuse the officers recommendation which was not carried. A motion was proposed by Councillor Poile, seconded by Councillor Backhouse and a vote was taken to approve the application in line with the officer recommendation. In accordance with the Council's Constitution the Chairman had a casting vote, and the motion to approve was carried.

RESOLVED - That planning application 19/01099/OUT be granted subject to the conditions and plan details and the completion of the planning S.106 agreement as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 19/02384/FULL - 1 HOLLYSHAW CLOSE, RTW

PLA106/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/02384/FULL and this was summarised at the meeting by Ms Oben, Senior Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – Since publication of the agenda report, the presenting officer updated as follows:

- Condition 8 to include: The tree protection plan must include any trees which were planted in accordance with the approved landscaping plan, before discharge of this condition but following planning permission.
- Informative about timings of tree works

Registered Speakers - There were 6 speakers who had registered and who spoke in accordance with the Council's Constitution (Planning Committee procedure rules):

Public objectors

- Mr Timothy Harper, a neighbour
- Mr Peter Gurr, a neighbour
- Mrs Marguerite Jenner, a neighbour

- Mr Daniel Dixon, a neighbour

Public supporters

- Mr Paul McPartland, on behalf of the applicants

Borough or ward members (not Committee members)

- Councillor Matthew Bailey, Paddock Wood (West) also objected

Matters of Clarification by Officers and Committee Members' Questions to Officers - Members raised a number of questions and officers confirmed the following:

- That planning history of a site can be a material consideration when considering a new application on a site and in this instance should be taken into account.
- Each planning application is determined on its own merits.
- Notwithstanding the replacement Red Oak tree and Holly bushes, on which Mr Mashburn, Tree Officer, provided comment and clarification, Miss Oben explained that the distance between the proposed property and the boundary of the neighbouring property is over 29 metres which would be considered a significant distance in terms of privacy concerns.

Committee Member Discussion - Members proceeded to discuss the application and the principal issues as follows:

- Councillors Pound and Poile both stated in their view the proposal was acceptable in terms of all material planning considerations and given this Councillor expressed that he could not understand the campaign of objection.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report and the debate, a motion was proposed by Councillor Poile, seconded by Councillor Pound to approve the application in line with the officer recommendation.

RESOLVED - That application 19/02384/FULL be granted subject to the plans, conditions and informatives as set out in the agenda report and additional informatives as set out below:

“Notwithstanding [the arboriculture and landscaping conditions], all tree felling, pruning and planting hereby permitted may be carried out prior to discharge of the pre-commencement conditions, to allow tree works to be carried out during the appropriate season for tree planting and wildlife protection. Replacement tree planting shall be carried out during the planting season (October to February) in which the tree work hereby permitted is substantially completed or, if the work is undertaken outside of this period, the season immediately following.”

APPLICATION FOR CONSIDERATION - 19/02964/FULL - 4 SUSSEX MEWS, RTW

PLA107/19 **Planning Report and Presentation** - The Head of Planning Services

submitted a report in respect of application 19/02964/FULL and this was summarised at the meeting by Miss Oben, Senior Planning Officer, and illustrated by means of a visual presentation.

Updates and Additional Representations – None.

Registered Speakers – None.

Committee Member Debate: There were no matters of significance raised.

Decision/voting - On the basis that members were satisfied that all relevant planning considerations had been covered within the report, a motion was proposed by Councillor Podbury, seconded by Councillor Mrs Cobbold and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED - That application 19/02964/FULL be approved subject to the conditions as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 19/03037/LBC - WAR MEMORIAL, MOUNT PLEASANT ROAD, RTW

PLA108/19 **Planning Report and Presentation -** The Head of Planning Services submitted a report in respect of application 19/03037/LBC and this was summarised at the meeting by Miss Oben, Senior Planning Officer, and illustrated by means of a visual presentation.

Updates and Additional Representations – None.

Registered Speakers – None.

Committee Member Debate: There were no matters of significance raised.

Decision/voting - On the basis that members were satisfied that all relevant planning considerations had been covered within the report, a motion was proposed by Councillor Warne, seconded by Councillor Bland and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED - That application 19/03037/LBC be granted subject to the conditions as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 0025/2019/TPO - COURT HOUSE, BROOM PARK, LANGTON GREEN

PLA109/19 **Planning Report and Presentation -** The Head of Planning Services submitted a report in respect of application 0025/2019/TPO and this was summarised at the meeting by Mr Mashburn, Tree Officer and illustrated by means of a visual presentation.

Updates and additional representation – Since publication of the agenda report, the presenting officer updated as follows:

- Change name of tree from Noble Fir to Grand Fir.

Registered Speakers - There were 2 speakers who had registered and who spoke in accordance with the Council's Constitution (Planning Committee procedure rules):

Public objectors

- Christopher Glenn, a neighbour
- Alastair Simpson, a neighbour

Matters of Clarification by Officers and Committee Members' Questions to Officers – Following comments and questions raised from speakers and Members; officers confirmed the following:

- i. The wording in section 2.04 of the report should read "...not explicitly..."
- ii. Should the tree reach a height which would cause a problem for neighbouring properties that this could be considered under a TPO application.
- iii. Crown raising would benefit daylight and keep growth away from the property drive however it would not facilitate landscaping.

Committee Member Debate: Members of the Committee took account of the presentations made and raised a number of questions and issues within their discussions. These included:

- i. That if something were to happen to the Grand Fir that a TPO would secure a replacement being planted.

Decision/voting - On the basis that members were satisfied that all relevant considerations had been covered within the report and the debate, a motion was proposed by Councillor Backhouse, seconded by Councillor Podbury and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED - That application 0025/2019/TPO be approved subject to the conditions and plan details as set out in the agenda report.

APPEAL DECISIONS FOR NOTING 09/11/2019 TO 02/12/2019

PLA110/19 **RESOLVED**

That the list of appeal decisions provided for information, be noted.

URGENT BUSINESS

PLA111/19 **RESOLVED**

That there was no urgent business for consideration.

DATE OF NEXT MEETING

PLA112/19 **RESOLVED**

That the next Planning Committee meeting take place on Wednesday 15 January 2020, at 5pm.

NOTE: The meeting concluded at 7.55 pm.